

**FILED**

NOV 20 2023

CLERK, U.S. DISTRICT COURT  
NORTH DISTRICT OF CALIFORNIA

1 Your Name: JOHN-MICHAEL GUTIERREZ

2 Address: 1326 SAPPHIRE DRIVE, SANTA MARIA, CA 93454

3 Phone Number: \_\_\_\_\_

4 Fax Number: \_\_\_\_\_

5 E-mail Address: \_\_\_\_\_

6 Pro Se Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**LB****CV23-5990**JMCG SYSTEMS INTERNATIONAL LLCCase Number [leave blank]JOHN-MICHAEL GUTIERREZ

Plaintiff,

**COMPLAINT**

vs.

DEPARTMENT OF JUSTICE OF California

DEMAND FOR JURY TRIAL

Governors Office of CaliforniaYes ☐ No ☐State of California

Defendant.

**PARTIES**

1. Plaintiff. [Write your name, address, and phone number. Add a page for additional plaintiffs.]

Name: JMCG SYSTEMS INTERNATIONAL LLC, JOHN-MICHAEL GUTIERREZAddress: 1326 SAPPHIRE DRIVE, SANTA MARIA, CA 93454

Telephone: \_\_\_\_\_

COMPLAINT

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2. Defendants. [Write each defendant's full name, address, and phone number.]

Defendant 1:

Name: Department of Justice of California

Address: 455 Golden Gate Avenue, suite 11000, San Francisco, CA, 94102

Telephone: \_\_\_\_\_

Defendant 2:

Name: Governors Office of California

Address: 455 Golden Gate Avenue, suite 11000, San Francisco, CA, 94102

Telephone: \_\_\_\_\_

Defendant 3:

Name: State of California

Address: 455 Golden Gate Avenue, suite 11000, San Francisco, CA, 94102

Telephone: \_\_\_\_\_

### JURISDICTION

[Usually only two types of cases can be filed in federal court, cases involving "federal questions" and cases involving "diversity of citizenship." Check at least one box.]

3. My case belongs in federal court

☒ under federal question jurisdiction because it involves a federal law or right.

[Which federal law or right is involved?] Qui Tam Motion

☐ under diversity jurisdiction because none of the plaintiffs live in the same state as any of the defendants and the amount of damages is more than \$75,000.

COMPLAINT

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## VENUE

[The counties in this District are: Alameda, Contra Costa, Del Norte, Humboldt, Lake, Marin, Mendocino, Monterey, Napa, San Benito, Santa Clara, Santa Cruz, San Francisco, San Mateo, or Sonoma. If one of the venue options below applies to your case, this District Court is the correct place to file your lawsuit. Check the box for each venue option that applies.]

4. Venue is appropriate in this Court because:

- ☐ a substantial part of the events I am suing about happened in this district.
- ☐ a substantial part of the property I am suing about is located in this district.
- ☒ I am suing the U.S. government, federal agency, or federal official in his or her official capacity and I live in this district.
- ☐ at least one defendant is located in this District and any other defendants are located in California.

## INTRADISTRICT ASSIGNMENT

[This District has three divisions: (1) San Francisco/Oakland (2) San Jose; and (3) Eureka. First write in the county in which the events you are suing about happened, and then match it to the correct division. The San Francisco/Oakland division covers Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Sonoma counties. The San Jose division covers Monterey, San Benito, Santa Clara, Santa Cruz counties. The Eureka division covers Del Norte, Humboldt, Lake, Mendocino counties, only if all parties consent to a magistrate judge.]

5. Because this lawsuit arose in San Francisco County, it should be assigned to the SAN FRANCISCO Division of this Court.

## STATEMENT OF FACTS

[Write a short and simple description of the facts of your case. Include basic details such as where the events happened, when things happened and who was involved. Put each fact into a separate, numbered paragraph, starting with paragraph number 6. Use more pages as needed.]

1. This is an action brought by a Qui-Tam relator John-Michael on behalf of the United States against the defendants of the Federal Bureau of Investigation, the Santa Maria Police Department, Santa Barbara County Sheriff's Department, San Luis Obispo County Sheriff's Department and their informants and co-conspirators

COMPLAINT

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1. The United States by and through the relator, John-Michael  
2. Gutierrez may designate the following materials it produces to  
3. preserve the defense as ("Sensitive Materials")

4. Materials containing personally identifying information as identified  
5. in Federal Rules of Procedure 49(i)

6. Rule 6 Materials, including subpoenas, witness testimony  
7. and related exhibits presented to a possible Federal grand jury.  
8. Material obtained through sealed search warrants and  
9. 2703(d) orders including

10. Sealed orders obtained by the government's filter  
11. team related to this case. The government shall indicate  
12. which materials constitute Sensitive materials prior to or  
13. concurrent with disclosure and will conspicuously mark all  
14. such sensitive materials that will include Fed. R. Crim P.16

15. Shield any genuinely sensitive materials from  
16. public view. The plaintiff, JMC G SYSTEMS INTERNATIONAL LLC  
17. will request an emergency motion for protective order over  
18. discovery materials produced by the plaintiff to any defendant  
19. in this matter in order to protect witnesses, employees to safeguard information

20. Fed. R. crim P.16 (d)(2) allow the court to enter  
21. protective orders limiting the use of sensitive discovery materials  
22. that present particular safety or security concerns. Instead of  
23. bringing the narrow framework, the government requests the  
24. court restrict all documents produced by the government regardless

25. //

26. //

## CLAIMS

## First Claim

(Name the law or right violated: False Claims Act of 1863)

(Name the defendants who violated it: DEPARTMENT OF JUSTICE OF CALIFORNIA)

[Explain briefly here what the law is, what each defendant did to violate it, and how you were harmed. You do not need to make legal arguments. You can refer back to your statement of facts.]

The department of justice and its personnel with the  
people of California have frauded and extort business materials  
for profit and political bias with politicians that are known

In a case by the Supreme Court in the United States  
ex rel. Marcus v. Hess. One of the least expensive and most  
effective means of preventing fraud on the Treasury

//

**Claim**

(Name the law or right violated: \_\_\_\_\_)

(Name the defendants who violated it: \_\_\_\_\_)

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COMPLAINT

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**DEMAND FOR RELIEF**

[State what you want the Court to do. Depending on your claims, you may ask the Court to award you money or order the defendant to do something or stop doing something. If you are asking for money, you can say how much you are asking for and why you should get that amount, or describe the different kinds of harm caused by the defendant.]

For compensatory damages for property damages and expenses including the return of property totaling \$600,000.00

For all properties built and rented for profit including multi-unit residential and all commercial properties

For all other such further relief as the Court deems equitable including immunity

EMERGENCY MOTION FOR PROTECTIVE ORDER  
OVER DISCOVERY MATERIALS

**DEMAND FOR JURY TRIAL**

[Check this box if you want your case to be decided by a jury, instead of a judge, if allowed.]

☐ Plaintiff demands a jury trial on all issues.

Respectfully submitted,

Date: 11/16/2023

Sign Name:

Print Name:

JMG  
JOHN MICHAEL GUTIERREZ

# UNITED STATES DISTRICT COURT

for the

United States of America  
v.

Case No.

Department of Justice (CN)  
Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 2003 - 11/20/23 in the county of Santa Barbara in the  
Central District of California, the defendant(s) violated:

Code Section

Offense Description

18 USC 798

violation of Sensitive Compartmented Information

This criminal complaint is based on these facts:

The Department of Justice of California and its Agents, officers and deputies had to violate the current SCI program John-Michael Gutierrez is involved in, and is requesting a security clearance and indoctrination without the threat of false incarceration. The informants are trying to use malware and spyware on an LG phone K5 and other electronic devices. ☐ Continued on the attached sheet. RE Flores was a drug addict who had a pinkel woman with Seth Redinger for jobs

[Signature]  
Complainant's signature

John-Michael Gutierrez relator  
Printed name and title

Sworn to before me and signed in my presence.

Date: \_\_\_\_\_

\_\_\_\_\_  
Judge's signature

City and state: \_\_\_\_\_

\_\_\_\_\_  
Printed name and title